



CITY COUNCIL

JAN SUMRALL
DISTRICT NO. 1

ROSE RODRIGUEZ
DISTRICT NO. 2

LARRY M. MEDINA
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

LUIS G. SARIÑANA
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
APRIL 1, 2003
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, John F. Cook, Daniel S. Power, and Luis G. Sariñana. Absent: None. Late Arrival: Representatives Paul J. Escobar, Larry M. Medina and Anthony Cobos. Meeting was called to order and the invocation was given by Police Chaplain Carlos Flores, followed by the Pledge of Allegiance to the Flag of the United States of America.

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Motion made by Representative Sariñana, seconded by Representative Sumrall and unanimously carried to delete the discussion and action on the abusive use of water citations issued by the Public Service Board. [Alan Serna]

Representative Cook was not present to vote.

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MAYOR'S PROCLAMATIONS

1. Loyalty Day
2. Former POW Recognition Day
3. Strategic Information Management Month
4. Del Valle High School Success Day
5. Texas Solid Waste Association of North America Days

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Motion made by Representative Cook, seconded by Representative Power and unanimously carried to recess City Council Meeting to discuss the Special Mass Transit Board Meeting at 9:25 a.m.

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Motion made by Representative Cook, seconded by Representative Power and unanimously carried to reconvene the City Council Meeting from the Mass Transit Board Meeting at 9:50 a.m.

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Motion made by Representative Medina, seconded by Representative Cook, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.

(Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {*}).
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***RESOLUTION**

WHEREAS, Far West Rodeo – El Paso, LTD. ("Lessee") entered into an Industrial Site Lease ("Lease") with the City of El Paso ("Lessor") dated March 27, 2001 for the following described real property located in El Paso County, Texas: Lot 19, Block 1, International Industrial Center, Unit One, City of El Paso, El Paso County, Texas.

WHEREAS, Lessee has defaulted in its obligation to pay rent as required by the Lease and has not responded to correspondence demanding payment.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Director of Aviation be authorized to terminate the Lease as set forth therein.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Director of Aviation be authorized to exercise the City's option to extend the Baggage Cart and Locker Concession Agreement by and between the City of El Paso ("Lessor") and Smarte Carte, Inc. ("Concessionaire") dated July 1, 1998, for an additional five (5) year term to expire on June 30, 2008.

***RESOLUTION**

WHEREAS, in accordance with Section 18.52.040 and Section 18.52.080 of the El Paso City Code, the City Council of the City of El Paso, by Resolution dated the 12th day of November 2002, after due notice and hearing, ordered GERALD EUGENE BELL and EVA L. BELL, record Owners of the hereinafter described property that the Building be demolished within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owners having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to demolish the Building and clean the premises of all trash, debris, and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such ORDER, the Street Department of the City of El Paso to proceed to demolish the Building and clean the premises of all weeds, trash, and debris.

WHEREAS, the Deputy Director for Building Services Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of demolishing the Building and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 16, Block 2, Mountaineer Subdivision, City of El Paso, El Paso County, Texas, more particularly described as 6045 Quail Avenue, El Paso, Texas,

to be \$5,113.63, performed by the Street Department of the City of El Paso, \$617.95 incurred by the City Attorney's Office and City Clerk's Office in providing notice, and obtaining title report making a total of \$5,731.58. The City Council finds that the work was completed on the 8th day of January, 2003, and approves the costs.

2. That the City Council, in accordance with Section 18.52.040 of the El Paso City Code, declares the above total amount of FIVE THOUSAND SEVEN HUNDRED THIRTY-ONE AND 58/XX DOLLARS (\$5,731.58) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

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***RESOLUTION**

WHEREAS, in accordance with Section 18.52.040 and Section 18.52.080 of the El Paso City Code, the City Council of the City of El Paso, by Resolution dated the 12th day of November 2002, after due notice and hearing, ordered ESPERANZA T. STAHELI, c/o JORGE M. TORRES, record Owner of the hereinafter described property that the Building be secured within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owner having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to secure the Building and clean the premises of all trash, debris, and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such ORDER, the Street Department of the City of El Paso to proceed to secure the Building and clean the premises of all weeds, trash, and debris.

WHEREAS, the Deputy Director for Building Services Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of securing the Building and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lots 15 and 16, Block 55, Highland Park Subdivision, City of El Paso, El Paso County, Texas, more particularly described as 2401 San Diego Avenue, El Paso, Texas,

to be \$4,543.80, performed by the Street Department of the City of El Paso, \$615.50 incurred by the City Attorney's Office and City Clerk's Office in providing notice, and obtaining title report making a total of \$5,159.30. The City Council finds that the work was completed on the 9th day of January, 2003, and approves the costs.

2. That the City Council, in accordance with Section 18.52.040 of the El Paso City Code, declares the above total amount of FIVE THOUSAND ONE HUNDRED FIFTY-NINE AND 30/XX DOLLARS (\$5,159.30) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Section 18.52.040 and Section 18.52.080 of the El Paso City Code, the City Council of the City of El Paso, by Resolution dated the 12th day of November 2002, after due notice and hearing, ordered JOHN TAYLOR and LINNEA HANSON, record Owners of the hereinafter described property that the Building be demolished within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owners having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to demolish the Building and clean the premises of all trash, debris, and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such ORDER, the Street Department of the City of El Paso to proceed to demolish the Building and clean the premises of all weeds, trash, and debris.

WHEREAS, the Deputy Director for Building Services Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of demolishing the Building and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lots 28 and 29, Block 38, Highland Park Subdivision, City of El Paso, El Paso County, Texas, more particularly described as 2506 San Jose Avenue, El Paso, Texas,

to be \$3,895.37, performed by the Street Department of the City of El Paso, \$1,473.00 incurred by the City Attorney's Office and City Clerk's Office in providing notice, and obtaining title report making a total of \$5,368.37. The City Council finds that the work was completed on the 4th day of February, 2003, and approves the costs.

2. That the City Council, in accordance with Section 18.52.040 of the El Paso City Code, declares the above total amount of FIVE THOUSAND THREE HUNDRED SIXTY-EIGHT AND 37/XX DOLLARS (\$5,368.37) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, having found in accordance with Section 13.32.040 of the El Paso Municipal Code that (1) the late filing was not due to a lack of diligence on the part of the applicant; and (2) the short notice does not unreasonably prejudice the City in preparing for the parade or temporary event, has approved the following parade permit, and that such approval is hereby ratified:

Request submitted on March 24, 2003, by the El Paso Times for a yellow-ribbon campaign supporting POW's and other troops in Iraq in the 300 block of North Campbell Street (between Mills and Main) on Tuesday, March 25, 2003, from 9:00 a.m. until 4:00 p.m.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement by and between the City of El Paso and the Upper Rio Grande Workforce Development Board, Inc., in conjunction with a grant from the United States Department of Labor. The Board will pass grant funds through to the City in an amount not to exceed \$376,625.00 to be used to pay the salaries of two police officers and a project assistant and for the Police Department to provide various intervention programs to address youth risk behaviors such as substance abuse, criminal conduct and gang affiliation.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City sponsor an "Honor Our Troops" unity event ("the Event") on Friday, April 11, 2003, from 7:00 p.m. to 9:00 p.m. at the Andy and Syd Cohen Center, and that the use of City staff and resources to plan the event, and the participation of Police and Fire personnel and equipment in the Event is hereby authorized. The City acknowledges that such use of the Cohen Center shall constitute one of the dates reserved for the public's use of the Public Access Facilities as a "City-sponsored event" under the terms of the Lease Agreement dated December 29, 1989, and thereafter amended, between the City and El Paso Baseball Club, L.L.C. The user fee of \$750.00 for the Event will be paid for from funding source 99010273-505413.

Ms. Rita Rodriguez, City Attorney, requested Council's permission to revise the resolution to authorize the use of City staff and resources to plan the event.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the El Paso Public Library be authorized to allow the El Paso Chapter of the American Institute of Architects to serve wine and cheese at a lecture they are presenting at the Armijo Branch Library, 620 E. 7th Street, on April 10, 2003, from 6:00 p.m. - 8:30 p.m.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement by and between the City of El Paso ("City"), in its capacity as the designated Metropolitan Planning Organization for the El Paso Urban Transportation Study Area, and the Instituto Municipal de Investigacion y Planeacion, ("IMIP"), wherein IMIP will provide support to the Metropolitan Planning Organization. The contract period is from April 1, 2003 through June 30, 2003, at a total contract cost not to exceed \$28,500.00, to be paid out of the EMPACT grant as approved and awarded by the Environmental Protection Agency.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign, on behalf of the City of El Paso, a Local Project Advance Funding Agreement between the City and the State of Texas, acting by and through the Texas Department of Transportation ("TXDOT"), for a Congestion Mitigation and Air Quality Project titled Traffic Light Synchronization at various locations in the City; and that the Mayor is hereby authorized to execute any necessary budget transfers to accomplish the intent of this Resolution.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign, on behalf of the City of El Paso, a Local Project Advance Funding Agreement between the City and the State of Texas, acting by and through the Texas Department of Transportation ("TXDOT"), for A congestion Mitigation and Air Quality Project titled Transportation Management Control Center Operating Costs; and that the Mayor is hereby authorized to execute any necessary budget transfers to accomplish the intent of this Resolution.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director of the El Paso Museum of Art be authorized to sign an outgoing loan agreement on behalf of the City of El Paso, for the loan of *San Isidro Labrador*, 1903, by Jorge Encizo to the New Mexico Farm and Ranch Heritage Museum for the exhibition *Images of San Ysidro* from April 15 – June 15, 2003.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director of the El Paso Museum of Art be authorized to sign an outgoing loan agreement, on behalf of the City of El Paso, for the loan of *The Immaculate Conception* by Francisco de Zurbarán, *Ecce Homo* by Bartolomé Esteban Murillo, and *Saint Thomas of Villanueva Giving Alms to the Poor* by Juan de Valdés Leal for an exhibition of Spanish Masters at The Albuquerque Museum in the Spring of 2005.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director of the El Paso Museum of Art be authorized to sign outgoing loan agreements, on behalf of the City of El Paso, for the loan of *Holiday Inn, Los Angeles, CA, Hollywood Wax Museum, Hollywood, CA, and Socorro, Texas* by Willie Varela for the traveling exhibition *Crossing Over: Photographs and New Video Installations by Willie Varela* organized by the University of Texas, El Paso, to be held according to the following schedule.

Blue Star Art Space, San Antonio, TX:	April 15 – May 20, 2003
McKinney Avenue Contemporary, Dallas, TX:	September 13 – October 26, 2003
Mexic-Arte Museum, Austin, TX:	January 16 – March 14, 2004

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2002-2003 appropriations to be approved by the City's Civil Service Commission and the City Council.

**GALATZAN RECREATION CENTER
DEPARTMENT ID: 51510131, ACCOUNT 502215**

1. CONTRACTOR: Maria Renteria, Basketball Officials
DATES: March 26, 2003, thru June 21, 2003
RATE PER GM: \$21.00
MAXIMUM AMT: \$1,512.00
CONTRACT: 2002/2003-108

SAN JUAN RECREATION CENTER

DEPARTMENT ID: 51510123, ACCOUNT 502214

2. CONTRACTOR: Heriberto Soltero, Kickboxing Instructor
DATES: March 26, 2003, thru June 30, 2003
RATE PER CL: \$8.55
MAXIMUM AMT: \$222.30
CONTRACT: 2002/2003-109

YOUTH IN FINE ART - SUN COUNTRY CDBG

DEPARTMENT ID: 51150056, 10031, G7128CD0005, ACCOUNT 502214

3. CONTRACTOR: Elvia Fernandez, Fine Arts Instructor
DATES: April 1, 2003, thru July 31, 2003
RATE PER CL: \$20.00
MAXIMUM AMT: \$1,000.00
CONTRACT: 2002/2003-110

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign, on behalf of the City's Parks and Recreation Department, five (5) Host Site Agreements with Paso del Norte Assets for Youth AmeriCorps, an affiliated program of the Corporation for National Service and the Texas Commission on Volunteerism and Community Service. Under the Agreements the City will participate as a Program Partner in affording AmeriCorps members the opportunity to provide service to the community at Armijo Recreation Center, Northeast Recreation Center, Nolan Richardson Recreation Center, Pavo Real Recreation Center, and the Neighborhood Outreach Program. Services shall be provided at no cost to the City.

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***RESOLUTION**

WHEREAS, Section 13.24.200 of the City of El Paso Code of Ordinances authorizes the Director of the El Paso Parks and Recreation Department ("Department") to rent facilities and park areas and to charge fees for services, activities and classes at any and all City parks and recreation facilities managed by the Department; and

WHEREAS, Section 13.24.200 establishes guidelines for program, activity, league and tournament fees ("Fees"); and

WHEREAS, Section 13.24.200 further provides that Fees are to be published semi-annually and submitted to City Council for review; and

WHEREAS, City Council has reviewed the Schedule of User Fees prepared by the Director and attached hereto, and has determined that the Section 13.24.200 guidelines for Fees have been complied with; and

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

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*NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 29th day of April, 2003 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 2125 Central Avenue, in El Paso, Texas, which property is more particularly described as:

Lot: 48, Block "B" Bassett Addition, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 5, Page 22, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, The Estate of Soledad R. De Garcia, Deceased, C/O Gabriel Navejas, 7625 Montana Avenue, Hammond, IN 46323-2959, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

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*Motion made, seconded and unanimously carried that the street and drainage improvements in the following subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Subdivision: Sombras Del Sol Unit Two
Owner/Developer: JNC Land Co., Inc.
Consultant: ATCON Engineering

Street Improvements:

Sombra Fuerte Drive - from the southwest subdivision boundary line to the northeast subdivision boundary line

Jon Evans Drive - from the north property line of Sombra Grande Drive to the northeast subdivision boundary line

Sombra Alegre Drive - from the west property line of Jon Evans Drive to the northeast subdivision boundary line

Robert Dahl Drive - from the south property line of Sombra Grande Drive to the northwest subdivision boundary line

Sombra Grande Drive - from the northwest subdivision boundary line to the northeast subdivision boundary line

Drainage Improvements:

Retention Ponding Area - at Lot 6, Block 4 and Lot 1, Block 23; 0.984 ac. Area; 19.61 ac-ft. Capacity; 2-Thrust Block Structures with Concrete Rip-Raps; 158.97 ft. of 24" R.C.P.; 83.91 ft. of 36" R.C.P.; 380 ft. X 5 ft. X 4" R.C.P. Concrete Sidewalk; 576 ft. X 6 ft. high Rock Wall located at the northwest of the ponding area; and 18 ft. Double Swing Vehicular Gate

Storm Drainage System - 1-10 Grate Drop Inlet Type I, and 10 ft. of 24" R.C.P. at Sombra Del Sol Drive, 1-4 Grate Drop Inlet Type I; and 1-Junction Box/72" Manhole at Sombra Grande Drive, 2-5 Grate Drop Inlet Type 1; 1-Junction Box/72" Manhole; and 145.5 ft. of 36" R.C.P. at Jon Evans Drive

15 ft. Drainage Easement - at Lot 3, Block 4; 113.80 ft. of 36" R.C.P.

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*Motion made, seconded and unanimously carried that the street and drainage improvements in the following subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Subdivision: Sun Ridge Unit Fourteen
Owner/Developer: JNC Land Co., Inc.
Consultant: ATCON Engineering

Street Improvements:

Robert Dahl Drive - from the northwest subdivision boundary line to the southeast subdivision boundary line

James Rey Circle - from the north property line of Robert Dahl Drive to the end of cul-de-sac

Drainage Improvements:

Retention Ponding Area - at Lot 1, Block 23; 0.0859 ac. Area; 19.61 ac-ft. Capacity; 1-Thrust Block Structure with Concrete Rip-Rap; 99 ft. of 24" R.C.P.; 260 ft. x 5 ft. Concrete Sidewalk; and 605.91 ft. x 6 ft. high Rock Wall located at the southeast of the Ponding Area

Storm Drainage System - 1-6 Grate Drop Inlet Type I at Robert Dahl Drive

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*Motion made, seconded and unanimously carried to approve the request to fill the following positions on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

- A. Custodial Worker (1)
- B. Laborer (33)
- C. Library Information Specialist I (1)

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*Motion made, seconded and unanimously carried to approve the following provisional appointment in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

- A. Engineering Technician IV (1)
- B. Transit Communication Dispatcher (4)

*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Building Permits & Inspections

Add	1.00	Personnel & Accounting Clerk	GS15
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*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Municipal Clerk

Delete	1.00	Assistant Municipal Court Clerk	EX J
Add	1.00	Courts Assistant Municipal Clerk	EX H

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*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Police

Delete	1.00	Police Administrative Services Manager	EX H
Add	1.00	Police Administrative Services Manager	EX F

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*Motion made, seconded and unanimously carried to approve the request from Joann T. Shaw of the Police Department for Special Sick Leave.

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*Motion made, seconded and unanimously carried to re-appoint Luis Carlos Sandoval, Jr. to the El Paso Public Arts Commission by Representative Luis Sariñana.

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*Motion made, seconded and unanimously carried to re-appoint Carlos Callejo to the El Paso Public Arts Commission by Representative Daniel Power.

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*Motion made, seconded and unanimously carried to re-appoint Ernest Bourjaily to the Twelve Travelers Review Committee by Representative Anthony Cobos.

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*Motion made, seconded and unanimously carried to re-appoint Mary Ann Dodson to the El Paso Public Arts Commission by Representative John Cook.

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*Motion made, seconded and unanimously carried that the following tax refunds be approved:

- A. Hoy Fox Lexus Toyota c/o Steve Fox in the amount of \$6,754.03, overpayment of 2002 taxes.
(PID #1994-999-1865-0042)
- B. Mancar Motors c/o Manuel Carrasco in the amount of \$551.78, overpayment of 2002 taxes.
(PID #1999-999-0559-0042)
- C. Socorro Bena Vente in the amount of \$2,632.51, overpayment of 2002 taxes.
(PID #2000-999-0245-0042)
- D. Lawyers Title of El Paso in the amount of \$872.74, overpayment of 2002 taxes.
(PID #C019-999-000A-9500)
- E. Attel Produce in the amount of \$3,686.88, overpayment of 2002 taxes.
(PID #C050-999-2000-3300)
- F. E & O Property in the amount of \$4,140.40, overpayment of 2002 taxes.
(PID #C050-999-2200-1400)
- G. Lone Star Title in the amount of \$809.77, overpayment of 2002 taxes.
(PID #C157-999-0010-6800)
- H. Dovenmuehle Mortgage, Inc. in the amount of \$2,909.37, overpayment of 2002 taxes.
(PID #C340-999-1050-1700)
- I. Stewart Title Co. in the amount of \$3,006.00, overpayment of 2002 taxes.
(PID #C340-999-1140-4700)
- J. Clara A. Galvez in the amount of \$517.98, overpayment of 2002 taxes.
(PID #C340-999-1330-3300)

- K.** Stewart Title in the amount of \$831.54, overpayment of 2002 taxes.
(PID #C518-999-0060-2100)
- L.** Oscar & Alicia H. Muro in the amount of \$1,805.47 overpayment of 2002 taxes.
(PID #C518-999-0080-2300)
- M.** C. F. Brooks in the amount of \$1,317.57, overpayment of 2001 taxes.
(PID #C572-999-0010-1180)
- N.** C.F. Brooks in the amount of \$1,098.20, overpayment of 2001 taxes.
(PID #C572-999-0010-1190)
- O.** Colonial Savings in the amount of \$1,293.55, overpayment of 2002 taxes.
(PID #C942-999-0130-7300)
- P.** Frank B. Ray, Sr. in the amount of \$569.84, overpayment of 2002 taxes.
(PID #H799-000-0630-0100)
- Q.** C P Mesa, LTD. in the amount of \$11,614.44, overpayment of 2002 taxes.
(PID #I427-999-0010-1300)
- R.** Countrywide Tax Services Corporation in the amount of \$1,089.16, overpayment of 2002 taxes.
(PID #L204-999-0090-4500)
- S.** Stewart Title Co. in the amount of \$564.64, overpayment of 2002 taxes.
(PID #L536-999-001C-1900)
- T.** Rosendo C. Gutierrez in the amount of \$1,090.86, overpayment of 2002 taxes.
(PID #M056-999-0210-5600)
- U.** United Fashions of Texas, Ltd. in the amount of \$9,839.15, overpayment of 2002 taxes.
(PID #M473-999-0140-7100)
- V.** Lawyers Title of El Paso in the amount of \$1,711.92, overpayment of 2002 taxes.
(PID #N425-999-0470-1800)
- W.** Martha C. Evans in the amount of \$1,389.52, overpayment of 2002 taxes.
(PID #0101-999-0020-8700)
- X.** Colonial Savings in the amount of \$1,824.26, overpayment of 2002 taxes.
(PID #Q550-999-0090-1300)
- Y.** Sergio & Soledad Lopez in the amount of \$886.88, overpayment of 2002 taxes.
(PID #S231-999-0250-3600)
- Z.** Stewart Title of El Paso in the amount of \$2,951.45, overpayment of 2002 taxes.
(PID #S380-999-0020-4000)
- AA.** Stewart Title Company in the amount of \$1,968.97, overpayment of 2002 taxes.
(PID #S380-999-0110-3500)
- BB.** Stewart Title Company in the amount of \$2,344.29, overpayment of 2002 taxes.
(PID #S380-999-0210-0800)
- CC.** Care Free Homes in the amount of \$674.58, overpayment of 2002 taxes.
(PID #S812-999-0250-1700)
- DD.** Stewart Title of El Paso in the amount of \$2,009.33, overpayment of 2002 taxes.
(PID #T213-999-0030-0700)
- EE.** Stewart Title of El Paso in the amount of \$2,151.19, overpayment of 2002 taxes.
(PID #T213-999-0030-0800)
- FF.** Samuel E. Vargas in the amount of \$1,076.99, overpayment of 2002 taxes.
(PID #T287-999-0010-1100)
- GG.** Colonial Savings in the amount of \$1,372.03, overpayment of 2002 taxes.
(PID #V832-999-0020-2900)
- HH.** Ruben O. Montes in the amount of \$1,290.71, overpayment of 2000 & 2001 taxes.
(PID #V869-000-0230-0300)
- II.** Lucille Ringel in the amount of \$557.16, overpayment of 2002 taxes.
(PID #V893-999-1800-3700)
- JJ.** Rocky Mountain Mortgage Co. in the amount of \$818.24, overpayment of 2002 taxes.
(PID #V893-999-5810-4600)

- KK.** Government Employees Credit Union of El Paso in the amount of \$1,179.43, overpayment of 2002 taxes. (PID #W068-999-0010-0700)
- LL.** Saxon Mortgage c/o Fidelity National Tax Service in the amount of \$1,041.43, overpayment of 2002 taxes. (PID #W145-999-0790-3100)
- MM.** Stewart Title Company in the amount of \$1,823.70 overpayment of 2002 taxes. (PID #W195-999-0080-2200)
- NN.** Kevin Belcher in the amount of \$3,077.82 overpayment of 2002 taxes. (PID #X035-000-0000-3750)
- OO.** Raymundo Ordoñez in the amount of \$5,200.00 overpayment of 2002 taxes. (PID #Y805-999-0260-0401)

*Motion made, seconded and unanimously carried to authorize Representative Power to use \$365.00 from District 5 discretionary funds to assist with cost of renovation of Red Bull Skatecar to be located at Dick Shinaut Park.

Motion made, seconded and unanimously carried to move to the regular agenda the following:

Representative Sumrall revised the amount of items one to three of the resolution to \$2,200.

Representative Sariñana commented on the importance of providing safe swings in the parks for the community.

Representative Power commented that the Parks Department is currently installing swings.

Motion made by Representative Sumrall, seconded by Representative Power and unanimously carried to authorize the request to allocate the following amounts from District 1 Special Projects funds for various projects

- (1)** \$2,200 to El Paso Police Department for purchase of one defibrillator to be placed in the Westside Regional Command Center.
- (2)** \$2,200 to the El Paso Public Library for purchase of one defibrillator to be placed in the Westside Library.
- (3)** \$2,200 for purchase of one defibrillator to be placed in the City of El Paso Northwest Corral Office.
- (4)** \$4,000 to the City of El Paso Retired Senior Volunteer Program.
- (5)** \$6,000 to the City of El Paso Parks and Recreation Dept. to replace and repair swings in District 1 parks with safety approved swings and parts.

*Motion made, seconded and unanimously carried to allocate \$500.00 to the San Juan Recreation Center from Mayor Pro Tem Larry M. Medina's Special Projects Discretionary Funds to assist with the Dia de los Niños - Dia de los Libros event to be held at Washington Park on April 29, 2003.

Motion made, seconded and unanimously carried to move to the regular agenda the request that the Director of Purchasing be authorized to issue a Purchase Order to The Software Group in the amount of \$172,357.50. The Software Group is the sole provider for changes, improvements and enhancements, in accordance to agreement executed and approved on January 26, 1999. The term of the agreement will be April 1, 2003 through March 31, 2004 and/or any extension thereof.

Additionally, it is requested that Mayor be authorized to sign any additional documents, contract, and/or agreements (amendments).

Amount Awarded: \$172,357.50
 Funds Available: 39010351-01101-502202
 Funding Source: General Funds – Data Processing Services

Department: Information Technology

Mr. Byron Johnson, Purchasing Director, explained the need for the on-going maintenance agreement as they are the only company that can provide maintenance for their software.

Representative Sumrall requested from Mr. Tony Montoya, Interim Director for Information Technology, a list of employees who have attended the training, dates and the cost.

Motion made by Representatives Sumrall, seconded by Representative Cook and unanimously carried to authorize the Director of Purchasing to issue a Purchase Order to The Software Group in the amount of \$172,357.50. The Software Group is the sole provider for changes, improvements and enhancements, in accordance to agreement executed and approved on January 26, 1999. The term of the agreement will be April 1, 2003 through March 31, 2004 and/or any extension thereof.

Additionally, it is requested that Mayor be authorized to sign any additional documents, contract, and/or agreements (amendments).

Amount Awarded: \$172,357.50
Funds Available: 39010351-01101-502202
Funding Source: General Funds – Data Processing Services

Department: Information Technology

.....
*Motion made, seconded and unanimously to award Bid No.: 2003-071 Truck Tractors

Award to: Border International Trucks, Inc.
El Paso, Texas
Item (s): #1, Options 1, 2, 3 and 6
Amount: \$250,245.00
- 6,920.00 (Less Trade-In Allowance)
\$243,325.00

Department: Solid Waste Management
Funds available: 508029-27261-04252003-PMB0004160 and
502300-40403-34010295
Funding source: FY03 Solid Waste Management Capital
Equipment, Certificates of Obligation \$247,995.00
and Solid Waste Management FY03 Operating Funds:
\$2,250.00
Total award: \$243,325.00

The Fleet Services, Solid Waste Management and Purchasing Departments recommend award as indicated to the Best Value Procurement.

This is a fixed-price, single (one-time) purchase, to purchase Truck Tractors. There is an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within one hundred eighty (180) days from the date of award of the contract. No prompt payment discount is offered by the vendor.

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2003-448 MUNICIPAL SERVICES

Municipal Services proposes to appropriate \$800,000 to fund design and site preparation for Zoo (Old Exhibits) Reptile and Biome Buildings. Funding source is 3rd Yr Quality of Life.

Increase	\$800,000	to	31130614/PPW005701160075/407020	Bond Proc
Increase	\$ 5,000	to	31130614/PPW005701160075/508022	City Adm
Increase	\$ 30,000	to	31130614/PPW005701160075/508024	Testing
Increase	\$ 20,000	to	31130614/PPW005701160075/508026	Inspection
Increase	\$525,000	to	31130614/PPW005701160075/508027	Construction
Increase	\$200,000	to	31130614/PPW005701160075/508050	Design
Increase	\$ 20,000	to	31130614/PPW005701160075/508051	Prg Mgmt

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2003-449 MUNICIPAL SERVICES

Municipal Services proposes to appropriate \$292,000 to fund design for Zoo-New Entry & Public Activities Center. Funding source is 3rd Yr Quality of Life.

Increase	\$292,000	to	31130614/PPW005700960073/407020	Bond Proc
Increase	\$ 2,000	to	31130614/PPW005700960073/508022	City Adm
Increase	\$275,000	to	31130614/PPW005700960073/508050	Design
Increase	\$ 15,000	to	31130614/PPW005700960073/508051	Prg Mgmt

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2003-450 MUNICIPAL SERVICES

Municipal Services proposes to appropriate \$500,000 to fund land acquisition and site preparation for Zoo-Parking Garage. Funding source is 3rd Yr Quality of Life.

Increase	\$500,000	to	31130614/PPW005700860072/407020	Bond Proc
Increase	\$375,000	to	31130614/PPW005700860072/508000	Land
Increase	\$ 5,000	to	31130614/PPW005700860072/508019	Appraisals
Increase	\$ 50,000	to	31130614/PPW005700860072/508024	Testing
Increase	\$ 70,000	to	31130614/PPW005700860072/508027	Construction

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2003-451 MUNICIPAL SERVICES

Municipal Services proposes to appropriate \$1,800,000 to fund design and site preparation for Zoo-African Expansion. Funding source is 3rd Yr Quality of Life.

Increase	\$1,800,000	to	31130614/PPW005701060074/407020	Bond Proc
Increase	\$ 10,000	to	31130614/PPW005701060074/508022	City Adm
Increase	\$ 75,000	to	31130614/PPW005701060074/508024	Testing
Increase	\$ 415,000	to	31130614/PPW005701060074/508027	Construction
Increase	\$1,250,000	to	31130614/PPW005701060074/508050	Design
Increase	\$ 50,000	to	31130614/PPW005701060074/508051	Prg Mgmt

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2003-452 MUNICIPAL SERVICES

Municipal Services proposes to appropriate \$471,750 to fund construction for Admin Bldg addition & renovations at the Zoo. Funding source is 3rd Yr Quality of Life.

Increase	\$471,750	to	31130614/PPW005700660070/407020	Bond Proc
Increase	\$ 12,000	to	31130614/PPW005700660070/508024	Testing
Increase	\$ 12,000	to	31130614/PPW005700660070/508026	Inspection
Increase	\$447,750	to	31130614/PPW005700660070/508027	Construction

*Motion made, seconded and unanimously carried to approve budget transfer BT2003-453 MUNICIPAL SERVICES

Municipal Services proposes to appropriate \$384,750 to fund construction for Storage Bldgs for miscellaneous Storage and Animal Holding facilities at the Zoo. Funding source is 3rd Yr Quality of Life.

Increase	\$384,750	to	31130614/PPW005700560069/407020	Bond Proc
Increase	\$ 10,000	to	31130614/PPW005700560069/508024	Testing
Increase	\$ 10,000	to	31130614/PPW005700560069/508026	Inspection
Increase	\$364,750	to	31130614/PPW005700560069/508027	Construction

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2003-454 MUNICIPAL SERVICES

Municipal Services proposes to appropriate \$2,175,000 to fund construction to convert pool and Sr Center at Washington Park. Funding source is 3rd Yr Quality of Life.

Increase	\$2,175,000	to	31130614/PPW005700460068/407020	Bond Proc
Increase	\$ 55,000	to	31130614/PPW005700460068/508024	Testing
Increase	\$ 55,000	to	31130614/PPW005700460068/508026	Inspection
Increase	\$2,065,000	to	31130614/PPW005700460068/508027	Construction

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2003-455 MUNICIPAL SERVICES

Municipal Services proposes to appropriate \$542,750 to fund construction for Animal Quarantine at the Zoo. Funding source is 3rd Yr Quality of Life.

Increase	\$542,750	to	31130614/PPW005700760071/407020	Bond Proc
Increase	\$ 13,500	to	31130614/PPW005700760071/508024	Testing
Increase	\$ 13,500	to	31130614/PPW005700760071/508026	Inspection
Increase	\$515,750	to	31130614/PPW005700760071/508027	Construction

.....
Motion made, seconded and unanimously carried to move to the regular agenda budget transfer BT2003-456 MUNICIPAL SERVICES

Ms. Teresa Quezada, Capital Improvement Program Administrator, explained the particulars and the revision into the record.

Representative Cobos expressed his concerns and added that he will not support studies funded with Certificates of Obligation without voter approval.

Representative Sumrall questioned if the City has funded project studies in the past.

Ms. Teresa Quezada replied that the City has funded studies with long-term debt and bonds in the past.

Representative Cook commented that Certificates of Obligation are to fund quality of life projects.

Motion made by Representative Medina, seconded by Representative Power and carried to approve budget transfer BT2003-456 MUNICIPAL SERVICES as revised.

Municipal Services proposes to appropriate \$500,000 to fund the next phase in the feasibility study of the Regional Intermodal Rail Project. Funding source is sale of 2003 CO's.

Increase	\$500,000	to	31260001/PPWRL0300160640/407020	Bond Proc
Increase	\$500,000	to	31260001/PPWRL0300160640/508028	ProjConsult

AYES: Representatives Sumrall, Rodriguez, Medina, Power, Escobar and Sariñana
 NAYS: Representatives Cook and Cobos

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2003-465 MUNICIPAL SERVICES

Municipal Services proposes to appropriate \$100,000 to fund Zaragoza POE Weight & Motion Scales. Funding source is sale of FY 2003 CO's.

Increase	\$100,000	to	31260001/PPWBR0300660609/407020	Bond Proc
Increase	\$100,000	to	31260001/PPWBR0300660609/508027	Construction

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2003-466 MUNICIPAL SERVICES

Municipal Services proposes to appropriate \$400,000 to fund Sign Replacement. Funding source is sale of FY2003 CO's.

Increase	\$400,000	to	31260001/PPWST0301760608/407020	Bond Proc
Increase	\$340,000	to	31260001/PPWST0301760608/508005	TrfCtrlEq
Increase	\$ 60,000	to	31260001/PPWST0301760608/502001	Temp Serv

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2003-467 MUNICIPAL SERVICES

Municipal Services proposes to appropriate \$8,000,000 to fund construction for Resurfacing 2003. Funding source is sale of FY 2003 CO's.

Increase	\$8,000,000	to	31260001/PPWST0300760606/407020	Bond Proc
Increase	\$ 125,000	to	31260001/PPWST0300760606/508024	Testing
Increase	\$ 375,000	to	31260001/PPWST0300760606/508026	Inspection
Increase	\$7,500,000	to	31260001/PPWST0300760606/508027	Construction

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2003-468 MUNICIPAL SERVICES

Municipal Services proposes to appropriate \$750,000 to fund construction for Clark Street Annex. Funding source is FY 2003 sale of CO's.

Increase	\$750,000	to	31260001/PPWFA0301360605/407020	Bond Proc
Increase	\$400,000	to	31260001/PPWFA0301360605/508010	DataProcess
Increase	\$ 5,000	to	31260001/PPWFA0301360605/508022	Adm Chgs
Increase	\$ 5,000	to	31260001/PPWFA0301360605/508021	Eng Chgs
Increase	\$280,000	to	31260001/PPWFA0301360605/508027	Construction
Increase	\$ 60,000	to	31260001/PPWFA0301360605/508050	A & E

.....
 Motion made, seconded and unanimously carried to move to the regular agenda budget transfer BT2003-469 MUNICIPAL SERVICES

Representative Cobos questioned what the land is going to be used for, resulting in decreasing tax funds and proceeded to question why the TIF Board was not involved.

Mr. Charlie McNabb, Chief Administrative Officer, explained that this is the first step to set up the appropriate account and that the contract to purchase the land will come to Council at a later date.

Ms. Sylvia Borunda-Firth, Assistant City Attorney, gave particulars on the ten-acre site of land.

Mayor Caballero commented that the City could be the master developer and that the City could lease the property.

Representative Cobos stated that the City should determine the use of the property before spending funds and questioned how much money there is in the TIF fund.

Mr. Charlie McNabb, Chief Administrative Officer, explained that the property happens to be in a TIF area but is not a TIF project.

Mr. Bill Chapman, Deputy CAO of Financial and Administrative Services/Chief Financial Officer, responded that approximately \$200,000 is in the TIF fund.

Representative Sumrall expressed her support for the land purchase.

Motion made by Representatives Sumrall, seconded by Representative Power and carried to approve budget transfer BT2003-469 MUNICIPAL SERVICES

Municipal Services proposes to appropriate \$907,348 to fund land acquisition for Health Facilities. Funding source is sale of FY 2003 CO's.

Increase	\$907,348	to	31260001/PPWHE0300460607/407020	Bond Proc
Increase	\$907,348	to	31260001/PPWHE0300460607/508003	Bldg Imprv

AYES: Representatives Sumrall, Rodriguez, Medina, Cook, Power, Escobar and Sariñana
NAYS: Representative Cobos

.....
*Motion made, seconded and unanimously carried to approve the request of Gene Finke Campaign to use amplification (2 microphones, 4 speakers) for a political rally at Borderland Park on April 12, 2003 from 10:00 a.m. to 2:00 p.m. Approximately five persons will take part and 200 spectators anticipated. PERMIT NO. 03-033

.....
*Motion made, seconded and unanimously carried to approve the request of Gene Finke Campaign to use amplification (2 microphones, 4 speakers) for a political rally at Frank Delgado Park on April 13, 2003 from 2:00 p.m. to 6:00 p.m. Approximately five person to take part and 200 spectators. PERMIT NO. 03-035

.....
*Motion made, seconded and unanimously carried to approve the request of Isabel Peralta to use amplification (1 microphone and speaker) at El Paso Avenue on April 5, 2003 and April 12, 2003 from 9:00 a.m. to 9:00 p.m. Approximately 3 persons will take part. PERMIT NO. 03-042

.....
ORDINANCE 15405

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.44 (COURTS), AND CREATING SECTION 2.44.100 (JUROR REIMBURSEMENT) OF THE EL PASO MUNICIPAL CODE, TO FORMALLY AUTHORIZE MUNICIPAL COURT REIMBURSEMENT FOR JUROR TRAVEL AND OTHER EXPENSES COMPARABLE TO JUROR REIMBURSEMENTS PROVIDED BY EL PASO COUNTY AND STATE COURTS.**

Representative Cook asked questions of Ms. Richarda Duffy Momsen, City Clerk, who gave the particulars.

Motion duly made by Representative Sumrall, seconded by Representative Power, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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Motion made by Representative Cook, seconded by Representative Cobos and unanimously carried to postpone one (1) week an Ordinance to amend Title 13 (Streets, Sidewalks and Public Places), Chapter 13.24 (City Parks and Recreation Areas), Section 13.24.200 (Rental Rates and User Fees Authorization) to establish or revise rental rates and user fees.

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Escobar, Sariñana and Cobos
NAYS: None Absent: None

Representative Power was not present for the vote.

Representative Rodriguez asked for clarification.

Mr. Ray Cox, Parks and Recreation Director, explained that the changes in user fees are for shelter rate rentals, basic update on fees.

Representative Sumrall commented that her board appointee suggested 50% reduction in fees for active military.

Representative Cook move to postpone the item for one (1) week to investigate the matter.

.....
*Motion made, seconded and unanimously carried to delete the public hearing to determine if the Council Resolution of February 18, 2003, for the property located at 3737 Fred Wilson Road, in the City of El Paso (legal description on file with the City Clerk) has been complied with and to determine penalties if the Council Order has not been complied with. The owners of this property, Maria C. Sonora and Isabel Medina, 1994 Blake, Los Angeles, CA 90039-3834, have been notified of the violations at this property. Delinquent taxes in the amount of \$3,178.66.

.....
*Motion made, seconded and unanimously carried to postpone two (2) weeks the public hearing to determine if the property located at 8963 Norton Street, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owners of this property, William Aziz, 2315 Murchison Drive, El Paso, Texas 79902, has been notified of the violations at this property.

.....
*Motion made, seconded and unanimously carried to postpone four (4) weeks the public hearing to determine if the property located at 216 N. Walnut Street, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of this property, Juan Moreno, 1411 Brown Street, El Paso, Texas 79902, has been notified of the violations at this property.

No action was taken on the report of the ongoing Operation Clean Sweep program and to encourage City employees to report nuisance violations to the department.

Mr. Terry Williams, Deputy Director for Building Permits and Inspections, made a presentation to Council and demonstrated the cards with phone numbers that were provided to all City employees to encourage employees to report violations. He explained the particulars of the department's web site that allows citizens to access inspections and permits information.

Representative Cook congratulated the department for the Clean Sweep program in the Northeast of the city.

Representative Sariñana expressed concerns with the 18-wheelers trailers that park in his district.

Representative Cook provided examples of problems experienced by the Police and Building Permits and Inspection inspectors when issuing citations such as citing the maid and not the property owner.

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Motion made by Representative Cook, seconded by Representative Cobos and unanimously carried to postpone one (1) week the Request that the Director of Purchasing be authorized to exercise the City's option to extend the term of the contract, for one (1) additional year, from May 1, 2003, through April 30, 2004, pursuant to the provisions of contract 2000-167R, Cellular Telephone Services, with Voice Stream Wireless, \$127,000.00 estimated annual.

OPTION NO.: THREE [OF FOUR]

Department:	Communications
Account No:	Various
Funding Source:	Various
Amount:	\$127,000.00 Estimated Annually

Representative Sariñana expressed his concern with the service and response he received from the company's headquarters.

Representative Medina expressed his concerns with service and dead spots and commented on better service from other companies.

Mr. Byron Johnson, Director of Purchasing, requested that Council Members log dead spots so that they can be investigated and reported to Bonnie Guinn, Communications Department.

Representative Escobar expressed concerns about service and gave examples of the County's contract with Alltel.

Mr. Charlie McNabb, Chief Administrative Officer, expressed concern that delays will result in the City having no phone service.

.....
RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the El Paso City Council hereby authorizes the Mayor to take the necessary steps to change the name of Centurion Drive to Shuttle Columbia Drive, beginning at its intersection with Montana Avenue to Hawkins Boulevard. This is located within the City of El Paso, El Paso County, Texas.

Representative Power explained that the request came from the Air Traffic Controllers.

Representative Sumrall asked if any other facilities are in that area asides from NASA.

Mr. Rudy Valdez, Planning, Research and Development and Mr. Charlie McNabb, Chief Administrative Officer, responded that there are no other facilities and that is the reason the name change is taking place as it will not after other parties.

Motion made by Representative Power, seconded by Representative Cook and unanimously carried to approve the above resolution.

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Motion made by Representative Sariñana, seconded by Representative Escobar and unanimously carried to authorize the Department of Planning, Research and Development to initiate a street name change of a portion of Vista Loma Drive to Tomwood Avenue, between Yarbrough Drive and Tomwood Avenue (existing).

Representative Sumrall questioned if other businesses would be affected.

Representative Sariñana explained that only two houses are facing Yarbrough Street.

.....
Motion made by Representative Sariñana, seconded by Representative Power and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance amending Ordinance Nos. 010873, 012221, 012476, 012636 and 014826, which established fees for the Foreign Trade Zone, to amend the User Fees to add High Volume Admissions for users of Foreign Trade Zone No. 68, to amend the tariff for Foreign Trade Zone No. 68 to reflect such changes, and to change the Grantee/Operator for the City of El Paso to the Director of Aviation.
- B. An Ordinance amending Title 14 (Aircraft and Airports), Chapter 14.24 (Commercial Air Carriers Rates and Charges) of the El Paso Municipal Code by amending Section 14.24.010 to add definitions for "Signatory Cargo Carriers" and "Cargo Facilities" and Appendix A to set forth new Cost Recovery Rates for Fiscal Year 2003. The penalty as provided in Chapter 1.08 of the El Paso Municipal Code.
- C. An Ordinance permitting the City of El Paso and its Police and Parks and Recreation Departments to use a portion of McKelligon Canyon Park on April 27, 2003.
- D. An Ordinance creating a Sports and Community Venue District, defining the boundaries of the District, and designating the number of Directors, the manner of appointment and manner in which the Chair will be appointed, pursuant to Texas Local Government Code Chapter 335.

PUBLIC HEARING WILL BE HELD ON APRIL 15, 2003 FOR ITEMS A – D

- E. An Ordinance granting Special Permit No. SU-03001, to allow for a planned residential development with reduced lot widths on Lots 1 & 2, Block 5, and Lots 1-13, Block 6, SOMBRAS DEL SOL UNIT 2, El Paso, El Paso County, Texas (Sombras Del Sol Way) pursuant to Section 20.14.040 (Zoning) of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. ZONE: R-5 (Residential). Applicant: JNC Development Company/ Representative: Conde, Inc., 1790 Lee Trevino, Suite 400, El Paso, TX 79936
- F. An Ordinance changing the zoning of Lot 2, Block 10, EASTWOOD SUBDIVISION, SECTION 1, El Paso, El Paso County, Texas (7826 Bois D'Arc Drive) from R-3 (Residential) to A-O (Apartment-Office). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicants: Charlie & Araceli Arellano / Representative: Conde, Inc., 1790 Lee Trevino, Suite 400, El Paso, TX 79936. ZC-03005

- G. An Ordinance changing the zoning of a Portion of Section 21, Block 81, Township 1, T & PRRC SURVEYS, El Paso, El Paso County, Texas (West of McCombs St. and South of U.S. 54) from R-F (Ranch-Farm) to R-5 (Residential.) The penalty is as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Rancho Real IV, Ltd./ Representative: Conde, Inc., 1790 Lee Trevino, Suite 400, El Paso, TX 79936. ZC-03006
- H. An Ordinance changing the zoning of a portion of A.F. MILLER SURVEYS 215 and 216, El Paso, El Paso County, Texas (Lawndale Drive west of Irondale Drive) from R-3 (Residential) to PR-II (Planned Residential District II). The penalty is as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Galaxy Homes / Representative: CAD Consulting Company; 1790 Lee Trevino Drive Suite 309, El Paso, TX 79936. ZC-03003
- I. An Ordinance changing the zoning of a portion of Tracts 3C and 4C, FIRST SUPPLEMENTAL MAP OF PARKLAND ADDITION, El Paso, El Paso County, Texas (Quail Avenue and Cross Street) from R-4 (Residential) to R-3A (Residential). The penalty is as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Archie and Ann Norman / Representative: Richard Norman; 10112 Cross Street, El Paso, TX 79924. ZC-03004
- J. An Ordinance changing the zoning of a portion of Sections 34, 35, 38, 39 and 46, Block 79, Township 2, TEXAS & PACIFIC RAILROAD COMPANY SURVEYS, El Paso, El Paso County, Texas (south of Montana Avenue and west of Zaragoza Road) as follows: Parcel 1, from R-3 (Residential) to C-4/c (Commercial/conditions) and imposing certain conditions; Parcel 2, from R-3 (Residential) to S-D (Special Development); Parcel 3, from R-3 (Residential) to R-5 (Residential); Parcel 4, from R-3 (Residential) to C-1 (Commercial); Parcel 5, from R-3 (Residential) to R-5 (Residential); Parcel 6, from R-3 (Residential) to R-5 (Residential); Parcel 7, from R-3 (Residential) to C-3/c (Commercial/conditions) and imposing certain conditions; Parcel 8, from R-3 (Residential) to C-2 (Commercial); Parcel 9, from R-3 (Residential) to C-3/c (Commercial/conditions) and imposing certain conditions; and Parcel 10, from R-3 (Residential) to C-3 (Commercial). The penalty is as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Ranchos Real V, Ltd. / Representative: Conde, Inc., 1790 Lee Trevino Drive Suite 400, El Paso, TX 79936. ZC-02058

PUBLIC HEARING WILL BE HELD ON APRIL 22, 2003 FOR ITEMS E - J

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

ADDITION TO THE AGENDA

Motion made by Representative Sumrall, seconded by Representative Power and unanimously carried to delete the discussion and action on the deplorable service given by Time Warner with regards to the Road Runner Internet. [Judge Luis Aguilar]

Representative Sumrall explained that Judge Luis Aguilar is requesting the deletion as he mistakenly thought the service was provided by Time Warner.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Amendment to the Personal Services Contract between the **CITY OF EL PASO** on behalf of the Parks and Recreation Department and Carolyn J. Tromer, to amend the job duties to include the supervision and administration of the Club Rec Camp at two additional sites, and to increase the amount of compensation from \$9.25 per hour to \$13.00 per hour, from May 1, 2003 through August 31, 2003. Funding for this contract is in Fiscal Year 2002-2003, appropriations to be approved by the City Council and the City's Civil Service Commission.

.....
*Motion made, seconded and unanimously carried to postpone one (1) week the Resolution that the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2002/2003 appropriations to be approved by the City Council and the City's Civil Service Commission.

CAROLINA RECREATION CENTER

DEPARTMENT ID: 51510073, ACCOUNT 502214

1. **CONTRACTOR:** Lujana, Romo, Ballet Instructor
 DATES: April 9, 2003, thru August 27, 2003
 RATE PER GM: \$10.33
 MAXIMUM AMT: \$929.70
 CONTRACT: 2002/2003-113

2. **CONTRACTOR:** Richard Velez, Kung-Fu Instructor
 DATES: April 09, 2003, thru August 30, 2003
 RATE PER CL: \$9.55
 MAXIMUM AMT: \$1,289.25
 CONTRACT: 2002/2003-114

SAN JUAN RECREATION CENTER

DEPARTMENT ID: 51510123, ACCOUNT 502214

3. **CONTRACTOR:** Mario A. Hernandez, Voice and Choir Skills Instructor
 DATES: April 09, 2003, thru May 31, 2003
 RATE PER CL: \$9.55
 MAXIMUM AMT: \$191.00
 CONTRACT: 2002/2003-115

.....
*Motion made, seconded and unanimously carried to re-appoint Carl A. Penn to the Arts & Culture Board by Representative Daniel Power.

.....
*Motion made, seconded and unanimously carried to re-appoint Mike Longoria to the Arts & Culture Board by Representative Daniel Power.

.....
*Motion made, seconded and unanimously carried to appoint Javier Garcia to the Electrical Board of Appeals by Representative Rose Rodriguez.

.....
*Motion made, seconded and unanimously carried to appoint Elza Cushing to the Water Conservation Advisory Board by Representative Rose Rodriguez.

*Motion made, seconded and unanimously carried to allocate the amount of \$1,000.00 from District 2 Discretionary Funds to the Nolan Richardson Recreation Center to assist with the Center's Easter egg hunt and Summer Programs.

.....
*Motion made, seconded and unanimously carried to allocate the amount of \$500.00 from District 2 Discretionary Funds to the Nolan Richardson Recreation Center for Arts and Crafts Night Youth Classes.

.....
*Motion made, seconded and unanimously carried to postpone two (2) weeks Bid No.: 2003-099 Schuster Slope Stability

Contractor:	Silverton Construction Company Inc.
	El Paso, TX
Department:	Streets
Funds Available:	31110103-PPW0100-26014-508027
Funding Source:	1987A Issue Flood Control
Items:	Base Bid I \$1,987,733.00
	Base Bid IA \$ 1,305.00
Total Award:	\$1,989,038.00

The Departments of Purchasing, Engineering, and Streets recommend the award of this contract to Silverton Construction Company Inc., the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the City Engineer, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

1. Lump Sum Component

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

2. Unit Price Component

Work under the unit price component is only an estimated value or not to exceed amount and will be ordered, performed, invoiced and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term.

.....
No action was taken on the report to City Council by the El Paso Police Department regarding City of El Paso and other law enforcement agencies' assistance to Ciudad Juarez authorities with the homicide cases of the Juarez women.

Police Commander Diana Kirk explained that the El Paso Police Department would serve as an advisory to Mexican authorities. EPPD will be providing a free of charge telephone number for tip calls and training the Mexican authorities as well. The services will be provided by on-duty Police Officers.

Representative Sumrall reiterated that it is imperative that the City of El Paso provides assistance to Mexican authorities and questioned if this requires that some Police Officers travel into Mexico and leave their firearms.

Commander Kirk explained that there is already a Police Officer who serves as an advisory liaison and travels into Mexico everyday without uniform and unarmed.

Ms. Rita Rodriguez, City Attorney, provided legal advice and commented that the City can enter into agreements with Mexican authorities.

Motion made by Representative Sariñana, seconded by Representative Power and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 11:00 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

- A. Lee Boulevard Right of Way Acquisition - TIP Roadway Construction Project (551.072)
- B. Maria E. Saenz (Citizens Bank of Las Cruces), 02-C-222 (551.071)
- C. Manuela Beltran, et al vs. The City of El Paso, et al, EP-02-CA-0206, Our File No. 02-S-16 (551.071)
- D. Attorney consultation regarding creation of Sports and Community Venue District. (551.071)

Representatives Sariñana and Cobos were not present for the vote.

Representatives Sariñana and Cobos were not present for the vote.

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Representatives Sariñana and Cobos were not present for the vote.

Motion made by Representative Medina, seconded by Representatives Sumrall and carried that the City Attorney be **AUTHORIZED TO PURSUE APPEAL** in the lawsuit entitled **MANUELA BELTRAN, et al vs. CITY OF EL PASO, et al**, Cause No. EP-02-CA-0206; Our File No. 02-S-16, as recommended by the City Attorney.

Representatives Sariñana and Cobos were not present for the vote.

Motion made by Representative Medina, seconded by Representative Cook and carried that the City Attorney's Office be authorized to **HIRE OUTSIDE COUNCIL** in the case entitled **MANUELA BELTRAN, et al vs. THE CITY OF EL PASO**; Cause No. EP-02-CA-0206, Our File No. 02-S-16.

Representatives Sariñana and Cobos were not present for the vote.

*Motion made, seconded and unanimously carried to postpone one (1) week the executive session item on Petition of the El Paso Electric Company to reconcile Fuel Costs. PUC Docket No. 26194. (551.071)

Motion made by Representative Medina, seconded by Representatives Sumrall and unanimously carried to request additional time, ninety (90) days, from the County of El Paso to further study the Sports and Community Venue District and to authorize the City Attorney to hire outside counsel.

Motion made by Representative Medina, seconded by Representative Cook and unanimously carried to adjourn this meeting at 11:25 a.m.

APPROVED AS TO CONTENT:


Richarda Duffy Momsen, City Clerk